

10-15-07 PCT

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service as Express Mail, Airbill No. Unknown, on the date shown below in an envelope addressed to: MS Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: 10-12-07

Signature: Shannon Lang

(Shannon Lang)

IAP6 Rec'd PCT/PTO 12 OCT 2007

Docket No.: 62740A
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Kenneth L. Foster et al.

Application No.: 10/552,877

Confirmation No.: Unknown

Filed: 04/15/2004

Art Unit: Unknown

For: METHOD OF FILLING HIGH ASPECT
RATIO, SMALL DIMENSION GAPS AND
FORMULATIONS USEFUL THEREIN

Examiner: Not Yet Assigned

**PETITION FOR REVIVAL OF AN APPLICATION FOR
PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

MS Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.


Applicant attempted to reply as shown by the attached response dated 20 November 2006. However, this response was inadvertently submitted the response with the incorrect application number, resulting in abandonment. Note that the title and inventors names were correct. Since reply to the outstanding office action was attempted to be made within the allowed time, we ask that the application be reinstated.

The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. It is submitted, therefore, that on the basis described above the abandonment should be held to be inadvertent, the enclosed Response and Declaration should be entered and the case revived.

Please charge our Deposit Account No. 04-1529 in the amount of \$1,500.00 covering the fee set forth in 37 CFR 1.17(m). The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 04-1529, under Order No. 62740A. A duplicate copy of this paper is enclosed.

Dated:

Respectfully submitted,

By 

Susan Moeller Zerull

Registration No.: 38,367

THE DOW CHEMICAL CO.

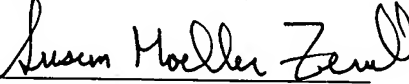
(989) 636-8858

10/19/2007 MKAYPAGH 00000140 041529 10552877
01 FC:1453 1540.00 DA

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Dated:

Respectfully submitted,

By 

Susan Moeller Zerull

Registration No.: 38,367

THE DOW CHEMICAL CO.

(989) 636-8858

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/552,877 Confirmation No. 4479
Applicant (s) : Kenneth L. Foster et al.
Filed : October 12, 2005
TC/A.U. : Unknown
Examiner : Unknown
Title : METHOD OF FILLING HIGH ASPECT RATIO, SMALL DIMENSION GAPS
AND FORMULATIONS USEFUL THEREIN
Docket No. : 62740A
Customer No. : 00109

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH
THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL WITH
SUFFICIENT POSTAGE IN AN ENVELOPE
ADDRESSED TO: COMMISSIONER FOR PATENTS,
P.O. BOX 1450, ALEXANDRIA, VA 22313-1450, ON:

10-12-07

DATE OF DEPOSIT

Shannon Lang

PRINT OR TYPE NAME OF PERSON SIGNING CERTIFICATE

Shannon Lang

SIGNATURE OF PERSON SIGNING CERTIFICATE

10-12-07

DATE OF SIGNATURE

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESUBMISSION OF RESPONSE TO NOTICE TO FILE MISSING PARTS
WITH PETITION TO REVIVE UNDER 37 CFR 1.137(b)

Filed herewith are the Declaration and Power of Attorney and Part 2 of the Notice to File Missing Parts in the above-identified patent application. The filing date of the application is as noted above.

The \$130.00 fee for the separate filing of this Declaration required under 37 CFR §1.16(e) may be charged to our Deposit Account No. 04-1512. If this amount is incorrect, please credit or debit our Deposit Account.

Respectfully submitted,

Susan Moeller Zerull

Susan Moeller Zerull

Registration No. 38,367

Phone: (989) 636-8858

P. O. Box 1967
Midland, MI 48671-1967

SMZ/srl

DECLARATION AND POWER OF ATTORNEY USA/PCT

As a below named inventor, I hereby declare that:

- (a) My residence and Citizenship are as stated below my name. My P.O. (mailing) address is the same as my residence unless otherwise stated.
 (b) I verily believe I am/we are the original, first and sole/joint inventor(s) of the subject matter that is embraced by and for which a patent is sought on the invention entitled: **METHOD OF FILLING HIGH ASPECT RATIO, SMALL DIMENSION GAPS AND FORMULATIONS USEFUL THEREIN**

and the specification of which: ☐ is attached hereto (____).
☒ was filed on April 15, 2004 as (62740A).
 Application No. PCT/US2004/011534
 and was amended on _____

- (c) I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.
 (d) I acknowledge my duty under 37 CFR 1.56 to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in 37 CFR 1.56(b). If this application is a continuation-in-part application, I acknowledge the duty to disclose all information known to me to be material to patentability as defined in 37 CFR 1.56(b) that became available between the filing date of the prior application from which priority is claimed in part (f) below, and the national or PCT international filing date of this application.
 (e) I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate listed below or §365(a) of any PCT international application that designated at least one country other than the United States of America listed below, and also identify below any other foreign equivalent application for patent or inventor's certificate or any other equivalent PCT international application having a filing date before that of the application on which priority is claimed:

Number	Country or PCT	Day/Month/Year Filed	PRIORITY CLAIMED	CERTIFIED COPIES INCL.
<input type="checkbox"/>	Additional claims for benefit are attached.		<input type="checkbox"/>	<input type="checkbox"/>

- (f) I hereby Claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below, or under 35 U.S.C. §120 of any United States application(s), or under § 365(e) of any PCT international application designating the United States of America listed below:

US or PCT Appln. Serial No.	Filing Date	Status at Application Filing Date
<u>60/463,709</u>	<u>April 17, 2003</u>	<u>Pending</u>
<input type="checkbox"/>	Additional claims for benefit are attached.	

I hereby appoint the attorney(s) and/or agent(s) at the following Customer No. to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith. Address all correspondence to

00109

This appointment, including the right to delegate this appointment, shall also apply to the same extent it is applicable under the laws of the United States of America to any proceedings established by the Patent Cooperation Treaty.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under 18 U.S.C. § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Inventor(s):

At: Midland, Michigan 48674, USA
 this 11 day of November, 2006
 Signature: Kenneth Foster
 Full Name: Kenneth Foster
 Residence: 114 West Carpenter Street
Midland, MI 48642
 Country: United States of America
 Citizenship: United States of America
 P. O. Address: Same as Residence

At: Midland, Michigan 48674, USA
 this 20 day of November, 2006
 Signature: James Godschalk
 Full Name: James Godschalk
 Residence: 2205 Plymouth Street
Midland, MI 48642
 Country: United States of America
 Citizenship: United States of America
 P. O. Address: Same as Residence

At: Dain Europe Hergen, Ctl
 this 30 day of October, 2006
 Signature: Michael Simmonds
 Full Name: Michael Simmonds
 Residence: Colonel Montegnie 93
Genval B-1332
 Country: Belgium
 Citizenship: United Kingdom
 P. O. Address: Same as Residence

At: _____
 this ____ day of _____, 20____
 Signature: _____
 Full Name: _____
 Residence: _____
 Country: _____
 Citizenship: _____
 P. O. Address: _____

☐ Additional names and signatures are attached.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/522,877
Applicant (s) : Kenneth L. Foster et al.
Filed : October 12, 2005
TC/A.U. : Unknown
Examiner : Unknown
Title : METHOD OF FILLING HIGH ASPECT RATIO, SMALL DIMENSION GAPS
AND FORMULATIONS USEFUL THEREIN
Docket No. : 62740A
Customer No. : 00109

Confirmation No. 4479

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SUFFICIENT POSTAGE IN AN ENVELOPE
ADDRESSED TO: COMMISSIONER FOR PATENTS,
P.O. BOX 1450, ALEXANDRIA, VA 22313-1450, ON:

November 20, 2006

DATE OF DEPOSIT

Shannon Ellis

PRINT OR TYPE NAME OF PERSON SIGNING CERTIFICATE

SIGNATURE OF PERSON SIGNING CERTIFICATE

DATE OF SIGNATURE

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

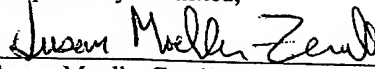
Sir:

RESPONSE TO NOTICE TO FILE MISSING PARTS

Filed herewith are the Declaration and Power of Attorney and Part 2 of the Notice to File Missing Parts in the above-identified patent application. The filing date of the application is as noted above.

The \$130.00 fee for the separate filing of this Declaration required under 37 CFR §1.16(e) may be charged to our Deposit Account No. 04-1512. If this amount is incorrect, please credit or debit our Deposit Account. This sheet is submitted in duplicate.

Respectfully submitted,



Susan Moeller Zerull

Registration No. 38,367

Phone: (989) 636-8858

P. O. Box 1967
Midland, MI 48671-1967

SMZ/sre

☐ Additional names and signatures are attached.

C- 62740A

Received in the U.S. Patent and Trademark Office:

Response to notice to file missing parts
Declaration and power of attorney
Postcard

Applicant: Kenneth L. Foster et al.

Serial No.: 10/522,877

Filed: October 12, 2005

Title: METHOD OF FILLING HIGH ASPECT
RATIO, SMALL DIMENSION GAPS AND
FORMULATIONS USEFUL THEREIN
SMZ/sre



11/20/2006